

ELECTRONICALLY FILED ON MAY 22, 2009

PATENT
Dkt. No. HO-P02393US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Timothy E. Grib and Michael A. Brown**
Assignee: **WITEL COMMUNICATIONS GROUP, INC.**
Application No.: **09/964,232** Group No.: **2443**
Filed: **September 26, 2001** Examiner: **Kyung H. Shin**
For: **METHOD AND APPARATUS FOR PERFORMANCE
MEASUREMENT OF DIFFERENT NETWORK ROUTES
BETWEEN DEVICES**

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF
(PATENT APPLICATION--37 C.F.R. § 41.37)

1. Transmitted herewith, is the APPEAL BRIEF in this application, with respect to the Notice of Appeal filed on February 27, 2009.

2. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

3. FEE FOR FILING APPEAL BRIEF

Pursuant to 37 C.F.R. § 41.20(b)(2), the fee for filing the Appeal Brief is:

Appeal Brief fee due for other than a small entity **\$540.00**

4. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

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5. TOTAL FEE DUE

The total fee due is:

Appeal brief fee \$540.00

TOTAL FEE DUE \$540.00

6. FEE PAYMENT

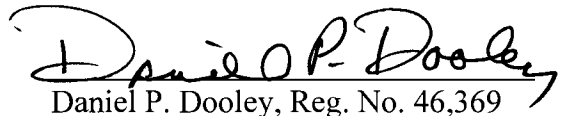
Authorization is hereby made to charge the amount of \$540.00 to Credit card as shown on the attached electronic credit card information authorization.

7. FEE DEFICIENCY

If an extension and/or additional fee is required, and if any additional fee for claims is required, charge Deposit Account No. 06-0540.

Respectfully submitted,

Date: May 22, 2009



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